

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

OLYMPIA LEVINSON STIEGELE,

Plaintiff,

v.

BERNARD C. BAILEY, PAUL T. PRINCIPATO,
PETER NESSEN, THOMAS J. REILLY, DENIS
K. BERUBE, B.G. BECK, CHARLES E. LEVINE,
and WILLIAM K. AULET,

Defendants,

v.

VIISAGE TECHNOLOGY, INC.,

Nominal Defendant.

Case No. 05-10677 (MLW)

**DEFENDANTS' ASSENTED-TO MOTION FOR LEAVE
TO FILE OVERLENGTH MEMORANDUM**

Defendants Bernard C. Bailey, Paul T. Principato, Peter Nessen, Thomas J. Reilly, Denis K. Berube, B.G. Beck, Charles E. Levine, and William K. Aulet move, pursuant to Local Rule 7.1(B)(4), for leave of Court to file a slightly oversized 22-page memorandum of law in support of their Motion to Dismiss Plaintiff's Verified Shareholder Derivative Complaint. In support of their motion, defendants state that the proposed memorandum would be filed on behalf of seven defendants, that the motion, if granted, will dispose of the entire case, and that the discussion of the issues and supporting case law will aid the Court in deciding the motion. Plaintiff has assented to this motion.

WHEREFORE, defendants respectfully request leave to file a 22-page memorandum in support of their Motion to Dismiss Plaintiff's Verified Shareholder Derivative Complaint.

Assented to:

OLYMPIA LEVINSON STIEGELE,

By its attorneys,

BERNARD C. BAILEY, PAUL T. PRINCIPATO,
PETER NESSEN, THOMAS J. REILLY,
DENIS K. BERUBE, B.G. BECK,
CHARLES E. LEVINE, and
WILLIAM K. AULET

By their attorneys,

/s/ Alan L. Kovacs (JRB by permission)

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and

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Dated: February 13, 2006

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/s/ John R. Baraniak, Jr.

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